

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNIVERSITY OF PITTSBURGH -
OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION,

Plaintiff,

vs.

ONCONOME, INC.
f/d/b/a TESSERA DIAGNOSTICS,
INC.

Defendant.

Civil Action No. 2:09-cv-00834-AJS

Electronically filed

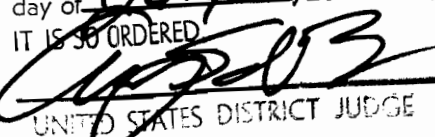
PLAINTIFF'S NOTICE OF DISMISSAL OF COMPLAINT

Plaintiff University of Pittsburgh-Of the Commonwealth System of Higher Education ("Plaintiff" or "University"), pursuant to Rule 41(a) (1) of the Federal Rules of Civil Procedure, hereby dismisses all causes of action in its Complaint against the above Defendant Onconome, Inc. ("Defendant") without prejudice.

Defendant has not been served with original service of process. No answer to the Complaint or Motion for Summary Judgment has been filed. Dismissal under Rule 41(a) (1) is therefore appropriate.

Respectfully submitted,

UNIVERSITY OF PITTSBURGH
OF THE COMMONWEALTH SYSTEM
OF HIGHER EDUCATION

AND NOW, this 22nd
day of July, 2009,
IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE

/s/ Pamela Connelly
Pamela W. Connelly
Pa. I.D. #76395
1710 Cathedral of Learning
Pittsburgh, Pennsylvania 15260
(412) 624-5674